



**Representative Della Au Belatti**

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# District 25 News

**Makiki, Tantalus, McCully, Papakolea**

**Summer 2010**

Dear Neighbor,

This edition of *District 25 News* provides highlights from the 25th Legislature and news from the community.

Despite the economic challenges of the past year, the Legislature was able to balance the state budget while promoting job creation, restoring public school instructional days for the 2010-2011 school year, encouraging energy and food independence, and maintaining the availability of core social services for the most vulnerable.

In the district, the Department of Transportation is moving forward with Lunalilo On-Ramp fixes while plans for an off-leash dog park at Makiki District Park are moving forward through the collaborative, grassroots efforts of neighbors.

I hope you find this edition of *District 25 News* informative. If you have any questions or concerns about legislative or community matters, please do not hesitate to contact me. I remain committed to working with you towards making our community and Hawaii a better place to live.

With warmest aloha,

Della Au Belatti  
State Representative, District 25

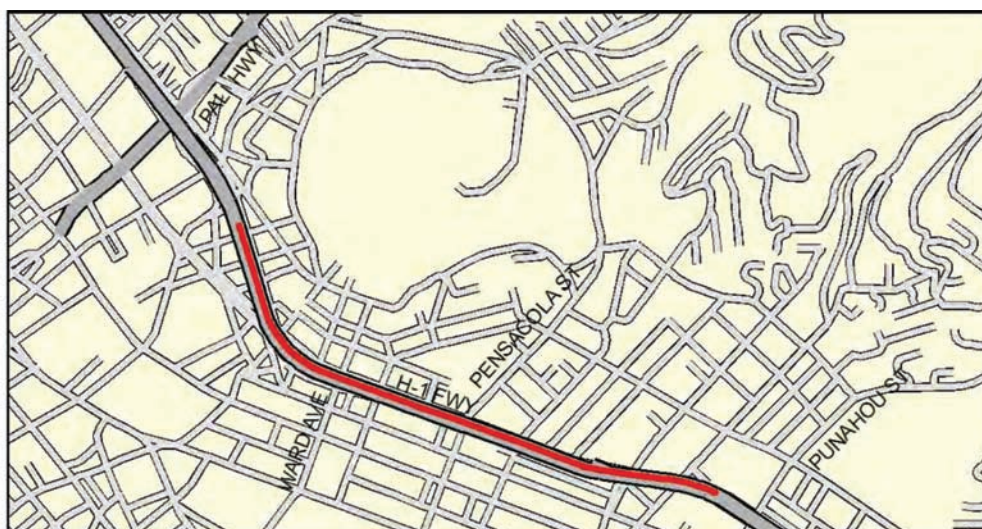
## ***Department of Transportation Considers Options for Lunalilo On-Ramp Project***

In 2005, the state Department of Transportation (DOT) began coming off the Lunalilo Street On-ramp, Vineyard Boulevard Off-ramp as a measure to keep morning traffic moving smoothly along the H-1 freeway. This project has impacted many in our community by increasing traffic on the surface streets and requiring motorists to alter their driving routes in order to gain access to the freeway. In 2006, the Hawaii State Legislature appropriated \$24.3 million for plans, design and construction of a more permanent solution for the problem of incoming traffic from the Lunalilo Street On-ramp and the exiting traffic of the Vineyard Boulevard exit.

In March 2010 at a community informational briefing sponsored by Representative Belatti and Senator Carol Fukunaga, state DOT Director Brennon Morioka presented eight ideas to the community to help ease traffic congestion and vehicle weaving between the Lunalilo On-ramp and Vineyard Off-ramp. These proposals ranged from doing nothing, to building a tunnel exit or an off-ramp flyover, to re-striping the freeway. Costs for these proposals varied from no cost at all to the most expensive price tag at \$172 million.

Of the eight alternatives presented, community members overwhelmingly supported the last re-striping option. This alternative seeks to eliminate the weaving movements between incoming motorists from the Lunalilo On-ramp and exiting motorists at Vineyard Off-ramp by re-striping freeway lanes from the Punahou Street

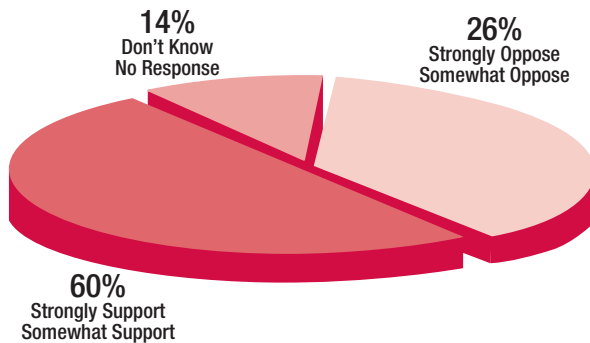
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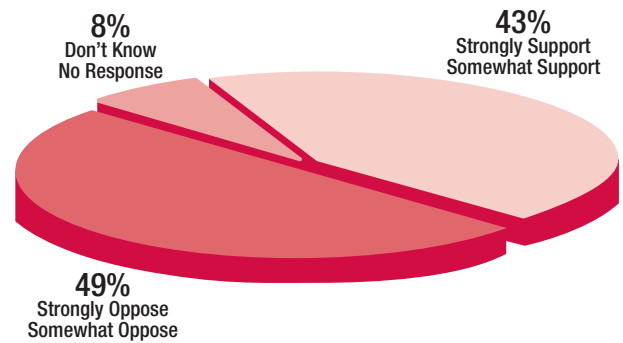
## 2010 Community Survey Results Are In

Below are results from our January 2010 community survey (286 residents). Thanks to all who participated. The effects of the global recession are still being felt in Hawaii which was reflected in 53 % of respondents who identified the economy as the most important issue facing the state, followed by education (29 %).

### How should we reduce the state budget deficit?

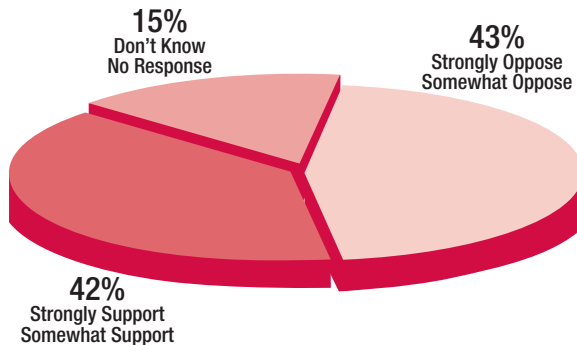


**Provide Fewer Government Services**

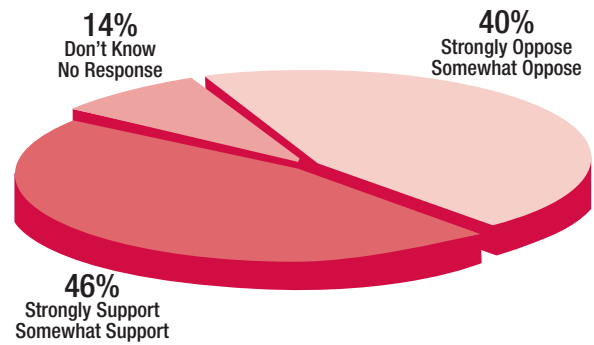


**Raise Taxes/Fees to Fund Government**

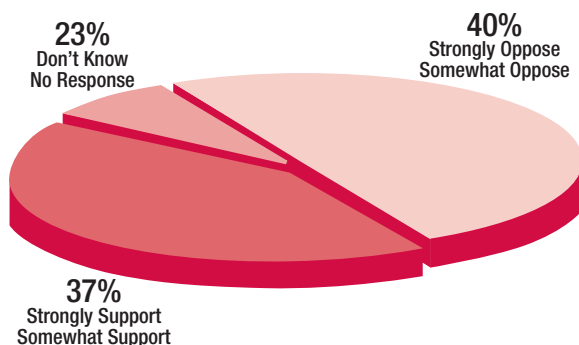
### How should we generate more state funds?



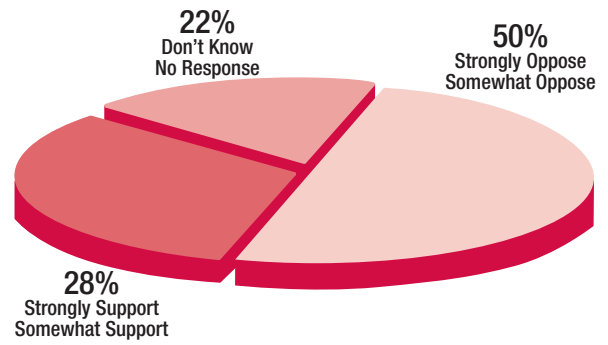
**Increase the General Excise Tax**



**Use the Rainy Day Fund  
(Emergency Budget & Reserve Fund)**



**Transfer the City's Rail Fund to the State**



**Transfer Hotel Room Taxes  
from Counties to State**

For a copy of the complete survey and survey results, visit Representative Belatti's legislative webpage at [http://www.capitol.hawaii.gov/hsemaj/belatti\\_della.html](http://www.capitol.hawaii.gov/hsemaj/belatti_della.html) or contact Representative Belatti's office at 586-9425.



## ***Back to the Classroom: No More “Furlough Fridays” for Schools***

Despite the tragedy of Hawaii students bearing part of the burden of the State’s budget shortfall with 17 furlough Fridays during the 2009-2010 school year, the “Great Recession” has spurred the State’s latest educational reform efforts. In the coming months, these reform efforts will require the active participation of all members of the community from parents, teachers, administrators, student, business community members, elected officials, and voters.

Over the past two fiscal years, the state Department of Education (DOE) faced budget cuts of \$473.7 million. To address this loss in state funding, furloughs were proposed and agreed to by the Board of Education (BOE), the Hawaii State Teachers Association (HSTA), and Governor Linda Lingle. The furloughs sought to address the budget shortfall by reducing labor costs. On September 22, 2009, HSTA ratified a collective bargaining agreement with the State of Hawaii that called for approximately 13,000 non-charter school teachers to take 17 furlough days during the 2009-2010 school year and an additional 17 furlough days during the 2010-2011 school year.

The 25th Legislature worked hard to develop immediate and long-term solutions to the shortchanging of educational days and instructional time for Hawaii’s children. Legislators passed two bills to address this problem. **Senate Bill 2124 (Act 143)** restores school furlough days by appropriating \$67 million from the Hawaii Hurricane Relief Fund for the purpose of funding teacher furlough days during the 2010-2011 school year. Any monies from this fund not used for relieving school furlough days are required to be returned to the Hurricane Relief Fund.

On May 25, 2010, Governor Lingle signed Senate Bill 2124 into law and announced a 3-part plan to

end Furlough Fridays for schools. The Governor plans to release \$57.2 million of the \$67 million available from the State Hurricane Relief Fund and \$2.2 million from the federal State Fiscal Stabilization Funds to help restore 11 of the 17 furlough days for the upcoming school year. State teachers also agreed through a supplemental agreement signed by the HSTA and the BOE to give up six paid teacher planning days to make up the remainder of the furlough days. The DOE is also being offered a \$10 million interest-free line of credit from local banks led by First Hawaiian Bank and Bank of Hawaii to help address any deficits that they may face. This line of credit will only be used, however, after the DOE looks to revise its budget with further non-labor budget cuts.

**House Bill 2486 (Act 167)** achieves a longer term, legislative solution to Hawaii’s shortened school year in comparison to other states with a greater number of school days and instructional time. This bill requires minimum instructional hours and days for future school calendars. All public, non-charter schools will be required to implement a minimum of 180 school days, excluding professional development days and other non-instructional days, for the 2011-2013 school years. In addition to minimum school days, elementary schools will be required to provide a minimum of 915 instructional hours, while public high schools will be required to provide 990 instructional hours. Even greater instructional hours are phased in for the 2013-2015 school years with public elementary and high schools required to provide 1,080 instructional hours. By working together through this difficult period and staying the course with House Bill 2486, the community is now ensured safeguards against future furloughs of educational opportunities for Hawaii’s public school children.



*State Capitol (May 14, 2010): Representative Belatti spends the day with public school keiki at the State Capitol’s Furlough Friday teach-in.*



*Washington Middle School (May 25, 2010): Despite furlough Fridays, district schools still excel! Senator Fukunaga and Representatives Rhoads, Saiki and Belatti congratulate Washington Middle School’s Principal Michael Harano for being named the 2010 National Distinguished Principal.*



*Washington Middle School (May 25, 2010): Representative Belatti joins area legislators in congratulating Washington Middle School’s award-winning Math Counts team.*



# Legislative Update 2010

*In 2010, the State Senate and House of Representatives faced an unprecedented \$1.2 billion budget shortfall. It comes as no surprise that the primary focus of the Legislature was to balance the budget, requiring significant cuts to programs and some tax and fee increases. In addition to addressing the budget, the 25th Legislature worked to pass important legislation that promotes job creation, fosters energy and food independence, enhances public safety and order, keeps Hawaii healthy, and maintains core government services.*

The following are brief summaries of the Legislature's accomplishments by issue area. If you would like to learn more about the past legislative session, its challenges, and what the Legislature did, Representative Belatti would be glad to meet with you or a group of your neighbors to discuss the 2010 session. Please contact Representative Belatti at 586-9425 to set up an appointment.

## SPENDING WISELY & BALANCING THE STATE BUDGET

**The State Budget (HB2200; Act 180).** The 2010 appropriations take a fiscally responsible approach to addressing the needs of Hawaii's people by, among other things:

- Reducing spending to address the critical state revenue shortfall while continuing to respond to Hawaii's needs and priorities;
- Increasing funds for the weighted student formula used to distribute school funds based on student educational needs;

- Eliminating public library furlough days, increasing library service hours, and preventing branch closures;
- Providing sufficient resources for the Department of Human Services to deliver timely social services;
- Ensuring the availability of essential emergency health services and community health centers; and
- Continuing investments in necessary infrastructure and other critical capital improvement projects to provide new construction, reduce repair and maintenance backlogs for state facilities, and create jobs.

## ADDRESSING ECONOMIC CHALLENGES

**Constitutional Amendment to Save Excess General Revenues (SB2807).** Enables the State to meet its financial obligations during economic difficulties and other emergencies by proposing a State

constitutional amendment to the requirement that excess general fund revenues be returned to State taxpayers as a tax refund or tax credit. Proposed amendment would give the Legislature the alternative of depositing these excess revenues into other funds as temporary supplemental sources of funding for the State in times of an emergency, economic downturn, or unforeseen reduction in revenue.

**Savings in the "Rainy Day Fund" (SB2806; Act 138).** In the event of the passage of the proposed State constitutional amendment allowing the saving of excess general revenues, allows the saving of 5% of the state general fund balance when state general fund revenues for

each of two successive fiscal years exceeds revenues for each of the preceding fiscal years by 5%. This saving mechanism provides a fiscal cushion for the State during difficult economic times.



## State Funds & Short-term Investments (SB2825; Act 127).

Increases accountability in state investment practices by clarifying that for authorized investments with stated maturity dates, the investment, as well as the underlying securities of those investments, are due to mature not more than five years from the date of investment.

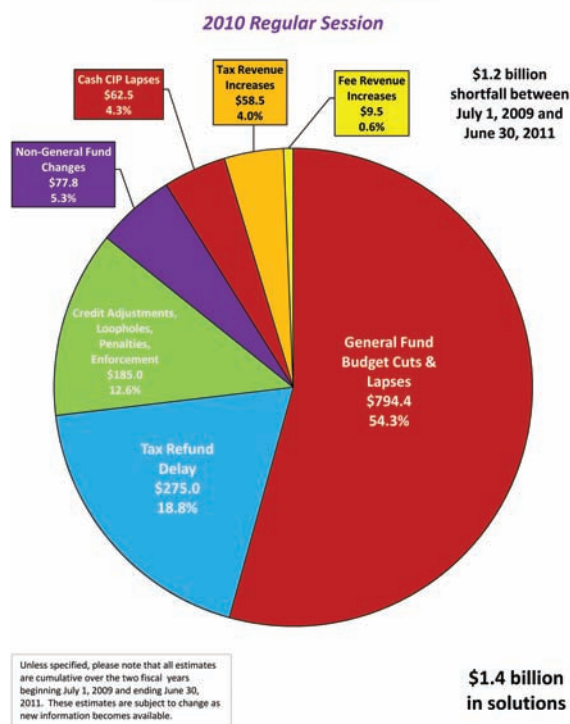
## Boosting General Fund through the Barrel Tax (HB2421; Act 73).

Increases State revenues by allocating to the general fund a portion of the increased tax on each barrel of petroleum product, other than aviation fuel, sold by a distributor.

## CREATING JOBS

**Construction Jobs for Hawaii Residents (SB2840; Act 68).** Helps secure employment opportunities for Hawaii's people by requiring that state residents comprise at least 80% of workers on public works construction projects, except for procurement of professional services or for small purchases of less than \$100,000 for goods or services or \$250,000 for construction. Provides sanctions for noncompliance including temporary

How The Budget Was Balanced







suspension of contract work, payment withholding, disqualification from the project, recovery of contract payments, and debarment or suspension.

**Ensuring Jobs for Eligible Workers (HB2897; Act 185).** Ensures that United States citizens gain the benefit of employment in Hawaii construction jobs by subjecting a contractor to revocation, suspension, or nonrenewal of the contractor's license for knowingly or intentionally employing a person on any project or operation who is not eligible to work in the United States under federal law, rather than limiting the revocation, suspension, or nonrenewal to public works contracts, through June 30, 2013.

## ENCOURAGING ENERGY INDEPENDENCE

**Funding Energy and Food Security through the Barrel Tax (HB2421; Act 73).** Landmark legislation that sets the stage for Hawaii's future energy and food security and helps decrease the state's near total dependence on imported fossil fuel and food supply. Adds \$1 to the tax on a barrel of imported oil to fund energy and food security programs, renewable energy tax credits and agricultural inspectors. Tax sunsets on June 30, 2015.



**Solar and Wind Energy Devices for Condominiums (HB2197; Act 53).** Provides homeowners greater access to renewable energy by authorizing

condominium boards of directors to install or allow the installation of solar energy and wind energy devices on the common elements of condominiums.

## Electric Vehicle Charging Stations (SB2231; Act 186).

Supports the increased use and promotes the development of infrastructure for electric vehicles by prohibiting multi-family and townhouse associations from preventing the installation of electric vehicle charging systems on or near the parking stall of an owner, provided that the association may impose reasonable restrictions on the placement and use of the charging systems and require reimbursement for the cost of the electricity used by the system.

## LENDING A HAND TO THOSE WITH SPECIAL NEEDS

### Funding Social Services through the Rainy Day Fund (SB2469; Act 191).

Appropriates \$23 million from the Emergency and Budget Reserve Fund, known as the Rainy Day Fund, to maintain critical programs in education, public health, and human services. Programs funded include the Healthy Start Program, the Kupuna Care Program and various senior centers including the Moiliili Community Center, the Kapiolani Medical Center for Women and Children's Sex Abuse Treatment Center for statewide sex assault services, statewide domestic violence shelters, and child care subsidies.

### Department of Human Services Reorganization Plan (SB2650; Act 67).

Ensures the continued provision of social services and public assistance in a responsible manner by authorizing the State to develop the "eligibility processing operations division" or EPOD system for public assistance and wel-

fare services as a pilot project for Oahu only. Prohibits DHS from implementing a reorganization plan which would have closed assistance offices statewide.

## Child Custody Plans for Deployed Military Personnel (HB2061; Act 177).

Assists members of the United States Armed Forces, Armed Forces Reserves, and National Guard by statutorily establishing a process by which the Family Court can resolve matters regarding child custody and visitation for those family members whose military duties require temporary absences.

## ENHANCING TRAFFIC SAFETY

### Ignition Interlock Systems (SB2897; Act 166).

Promotes safety on Hawaii's roadways by enacting the final recommendations of the Ignition Interlock Implementation Task Force which includes the placement of a device that prevents a vehicle from being started and driven by an intoxicated



individual on a vehicle of an individual convicted of certain instances of driving under the influence of an intoxicant.

### Provisional Driver's Licensing for Minors (SB2449; Act 85).

Maintains traffic safety by extending the statutory requirements for provisional driver's licenses for persons between ages 16 and 18, including, among other things, conditions under which holders of a provisional driver's license can operate a vehicle. Allows a provisional licensee to obtain a driver's license at the age of 18 without meeting the six-month requirement for maintaining a provisional license.

## KEEPING HAWAII HEALTHY

### Disproportionate Share Hospital Funding (HB2084; Act 203).

Extends to June 30, 2011, the State's matching funds to receive federal

*Continued on page 7*

# Makiki District Park: A Place for Dogs & Dogowners

Over the past year, neighbors have met to discuss the possibility of creating an off-leash dog park in a select part of Makiki District Park. Currently, Oahu has only five off-leash dog parks: the Diamond Head Bark Park, Hui `ilio Dog Park in Hawaii Kai, McNerny Dog Park at the Hawaiian Human Society, Mililani Dog Park, and Moanalua Dog Park. These off-leash dog parks serve the entire island of Oahu, with 43 % of Oahu homes with dogs and a population of over 300,000 pets as family members.

This lack of places for dog owners to allow their pets to go off-leash presents special challenges for many of our urban Makiki residents. Makiki is primarily a dense high-rise area with many apartment and homeowners having family pets with no outdoor area for exercise and socialization. An off-leash dog park that occupies only a small part of a larger park would provide a much-needed recreational facility for the Makiki neighborhood. An enclosed off-leash dog park would also reduce the frequency of dog owners using other public places where they are not legally permitted, such as no-dogs-allowed parks and public school grounds.

In urban Honolulu, the Ala Wai K9 Playground is pending approval to become Oahu's next off-leash dog park. The Windward Dog Park Organization is also working on developing a dog park in Kaneohe. There are a few on-leash dog parks that are close to Makiki. These include the Ala Wai Parkway, Manoa Triangle, Moiliili Triangle, and Archie Baker Mini Park in Makiki.

Beginning in July 2009, Advocates for a Makiki Community Dog Park convened to discuss possible sites and plans for an off-leash dog park. This non-profit, grassroots organization is comprised of Makiki community members who are pet owners and non-pet owners. They have established broad relationships within the community to develop and support an enclosed off-leash dog park in Makiki. Advocates for a Makiki Community Dog Park has been established to work towards the goal of providing a social environment for not only pets but the people of the community as well.

On August 20, 2009, the Makiki Neighborhood Board adopted a motion to support the concept of a dog park at

Makiki District Park or other appropriate area. Then, on May 20, 2010, the Advocates went before the Neighborhood Board to present their idea to develop an enclosed off-leash dog park at the southern portion of Makiki District Park, adjacent to the tennis and basketball courts, and parallel to the H1 Freeway.

Numerous people from the community attended the meeting to testify on behalf of the Advocates. These include Vanessa Golding-Fox of the Hawaiian Humane Society, Jeff Wong, a professional dog trainer from JNC Obedience Training Program, and Patrick Skonecki, Supervisor of Park Maintenance for Makiki District Park. When discussing the proposed area for the dog park, testifiers presented information about the importance of socialization of dogs at off-leash dog parks and how the proposed area has been and is used by squatters and drug dealers.

Following the testimony and questioning from Board members, the Makiki Neighborhood Board adopted the resolution to develop an enclosed off-leash dog park in the limited area proposed by the Advocates. Now the next steps for the Advocates are to go before the Honolulu City Council to get their approval to develop an enclosed off-leash dog park at Makiki District Park and then meet with the Department of Parks and Recreation.

As part of their community outreach, Advocates have participated in events around the island such as the Hawaii Pet Expo at the Neil Blaisdell Center Exhibition Hall, the Hawaiian Humane Society Canine Game Day at

Thomas Square, and the 6th Annual Hawaii Kai Dog Walk. They are also beginning to organize and coordinate with other dog parks.

Advocates for a Makiki Community Dog Park are looking for volunteers for the many tasks at hand in designing, developing, building, and fundraising for the park's creation and future maintenance. The group meets once a month at 6:30pm in the Makiki District Park Arts and Crafts Building. If you would like to get involved and volunteer for the Advocates for a Makiki Community Dog Park, please contact the Advocates' President, Terry Conlan at 561-5171 or at [terryconlan@aol.com](mailto:terryconlan@aol.com).



*Makiki District Park (March 30, 2010): Representative Belatti poses with board members of the Advocates for a Makiki Community Dog Park (L-R) Terry Conlan, Philip "Rocky" Rockwell, Tracey Teanio, and Victoria Bordignon.*



Medicaid funding for hospitals, known as the disproportionate share hospital funds. Appropriates \$12.3 million in State funds in order to receive \$15 million in federal funds.

**Sanitation Inspectors (HB2688; Act 176).** Inadequate monitoring of health and sanitation conditions in Hawaii food establishments has led to recent reports of vector control problems and salmonella outbreaks. Changes the name of the Environmental Health Education Fund to the Sanitation and Environmental Health Special Fund and allows the funds to be used for sanitation program activities and functions, including hiring of inspectors.

## MAINTAINING PUBLIC ORDER AND SAFETY

**Regulations for Bring Your Own Beverage (BYOB) Establishments (SB2545; Act 198).** Addresses growing community concerns about unregulated BYOB establishments by requiring a class 17 liquor license for BYOB establishments on Oahu that operate between 12:00 midnight and 2:00 am and requiring class 17 licensees to maintain liquor liability insurance.

**Fireworks Nuisance Abatement (HB1987; Act 136).** Addresses the illegal importation, sale, and transfer of fireworks by establishing nuisance abatement and forfeiture actions to discourage those illegal activities.

**County Fireworks Ordinances & Fireworks Task Force (SB1059; Act 170).** Allows counties to enact ordinances regulating fireworks that are more stringent than state law regulating fireworks. Establishes an illegal fireworks task force to stop the importation of illegal fireworks and explosives.



State Capitol: Representative Belatti joins legislators to discuss good government issues with Derek Cressman and Nikki Love of Common Cause.



Makiki District Park: Representative Belatti with 2010 U.S. census recruiters at testing session for census workers in Makiki.

## ADDRESSING NATIVE HAWAIIAN ISSUES

**Facilitating Department of Hawaii Home Lands (DHHL) Projects & Commercial Leases (HB1015; Act 187).** Empowers DHHL to fulfill its obligations by:

- Temporarily enabling DHHL to begin construction on housing and other projects without having the full amount of the capital costs of the project on hand at its commencement by authorizing DHHL to incur obligations in excess of the amount of moneys in its trust funds subject to certain conditions; and
- Ensuring that commercial and multipurpose project leases on Hawaii Home Lands benefit the native Hawaiian beneficiaries by, among other things, directing DHHL to establish a beneficiary consultation process for the grant of all such leases, authorizing lease extensions, and setting aside 15 % of the lease revenues from those extensions to the Native Hawaiian Rehabilitation Fund.

## ADDRESSING URBAN CONCERNS

**Housing First (HB2318; Act 212).** Establishes the Housing First Special Fund to assist the homeless. Housing First aims to get the chronically homeless off the street and into stable housing, where they can better address related issues such as job training, employment, and healthcare.

**Leaf Blower Restrictions (SB466; Act 206).** Prohibits leaf blowers in residential zones except within the following allowed time periods: between 8 am and 6 pm on Mondays through Saturdays, and between 9 am and 6 pm on Sundays and any state or federal holiday. Establishes fines for violators.

**Graffiti (HB2129; Act 99).** Requires a person convicted of criminal property damage involving graffiti to remove the graffiti within 30 days of sentencing. In addition, the person must perform community service removing graffiti from within 100 yards of the site of the offense over a period of time not to exceed 2 years.



State Capitol: Representative Belatti interviewed by Maryknoll student with Olelo student program.



Washington Middle School: Representative Belatti joins Representative Saiiki, Mr. & Mrs. Edward T. Kanaya, Councilmember Ann Kobayashi, & Senator Carol Fukunaga for the dedication of the Edward T. Kanaya Band Room.

On-ramp to the Pali Highway Off-ramp in the westbound lane and creating a fourth auxiliary lane.

In addition to the appropriations from the State, this H-1 freeway re-stripping project requires federal funding. Decisions on the federal funding portion of this potential project are made by the Oahu Metropolitan Planning Organization (OMPO) Policy Committee. The OMPO Policy Committee is a collaborative effort between city and state officials with members from the City Department of Transit Service, the state DOT, and appointed state legislators and City Council members. The OMPO Policy Committee is responsible for approving annual federal funding allocations via the Transportation Improvement Project (TIP). The TIP specifies the priority of transportation projects, as well as the funding of each project.

In June 2010, the OMPO Policy Committee proposed an amendment to its TIP for fiscal year 2011 to include the proposed re-stripping project. Identified as Project OS23, OMPO's amendment identified \$6 million for this project in FY 2011 pursuant to DOT discussions with the Federal Highway Administration. Depending on this proposed funding and federal approval for re-stripping, the DOT continues to work on this re-stripping project to address the traffic flow along the H-1 freeway and Lunalilo On-ramp, Vineyard Boulevard Off-ramp corridor.

For more information about OMPO and TIPS visit <http://www.oahumpo.org>. For more information about the status of the DOT's proposed re-stripping project, please feel free to contact Representative Belatti's office at 586-9425 or at [repbelatti@capitol.hawaii.gov](mailto:repbelatti@capitol.hawaii.gov).

## ***Voters to Decide on Appointed vs. Elected School Board in 2010 Elections***

In addition to addressing future furlough Fridays, the Legislature proposed the following ballot question for the 2010 election:

"Shall the Board of Education be changed to a board appointed by the Governor, with the advice and consent of the Senate, as provided by law?"

If passed, this amendment to the Hawaii State Constitution will empower future Governors to appoint the School Board, with advice and consent by the Senate. One rationale

behind this amendment is that it will create greater accountability for educational decisions and policies set by the Board. In the coming months, groups will be announcing their positions on this critical ballot question. Representative Belatti urges you to get educated and involved, whether for or against an appointed school board, because critically looking at and reforming Hawaii's educational governance structure is one of many important steps in improving our public education system for all of Hawaii's children.

### **FUNDING FOR DISTRICT SCHOOLS**

#### **Capital Improvement Projects**

##### **Stevenson Middle School**

Construction for a multi-purpose recreational facility \$5,500,000

Plans, land acquisition, construction and equipment for multi-purpose educational facility \$7,750,000

#### **Repair & Maintenance**

##### **Kaahumanu Elementary School**

Includes air conditioning replacement, railing installation & bell and public address system replacement \$626,000

##### **Lincoln Elementary School**

Water line replacement \$170,000

##### **Roosevelt High School**

Includes railing & partition installations, reroofing project & kitchen renovations \$910,000

##### **Stevenson Middle School**

Include restroom renovations & reroofing project \$817,000

##### **Washington Middle School**

Includes electrical upgrades, installation of fans, wheelchair ramps & gate replacements \$419,000



*State Capitol (March 15, 2010): Representative Belatti and colleagues recognized and congratulate the 2008 and 2009 national spoken word champions Youth Speaks Hawaii.*



*Makiki District Park (February 25, 2010): Senator Carol Fukunaga, DTS Director Wayne Yoshioka, Senator Brickwood Galuteria and Representative Dell Au Belatti brief the community on the Piikoi-Pensacola reversal proposal and answer questions about 2010 legislative session.*